

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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U.S. DISTRICT COURT  
DISTRICT OF MASS

MARIAN LUDKIEWICZ,

Plaintiff

v.

UNUM LIFE INSURANCE COMPANY  
OF AMERICA

Defendant

Civil Action No. 04-30039-MAP

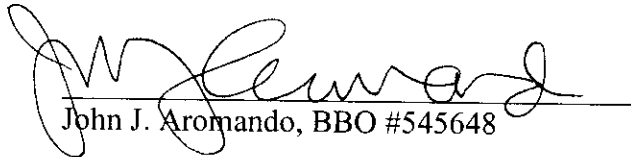
**DEFENDANT UNUM LIFE INSURANCE COMPANY OF AMERICA'S  
ASSENTED-TO MOTION FOR ENLARGEMENT OF TIME  
TO FILE RESPONSIVE PLEADING**

Defendant Unum Life Insurance Company of America ("Unum") hereby moves for an extension of the time in which it must serve a responsive pleading to the Complaint of Plaintiff up to and including March 21, 2004. Unum's answer is presently due to be served on Monday, March 1, 2004. Plaintiff assents to the present motion.

In support hereof, Unum has informed Plaintiff's counsel that it contends that the claims alleged in Plaintiff's complaint are preempted by ERISA. Counsel for Plaintiff is reviewing this issue and has indicated that he will amend the complaint to plead all claims under ERISA, if he agrees with Unum's position. Therefore, this extension of time is necessary so the parties can resolve the issue of preemption and to allow Plaintiff time to amend his complaint, if necessary. No prior extensions have been sought or granted. Plaintiff will suffer no prejudice if this brief extension is permitted.

WHEREFORE, Defendant Unum respectfully requests that it be granted an enlargement of time to and including March 21, 2004, in which to serve its responsive pleading to Plaintiff's Complaint.

DATED: February 26, 2004



John J. Aromando, BBO #545648

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(207) 791-1100

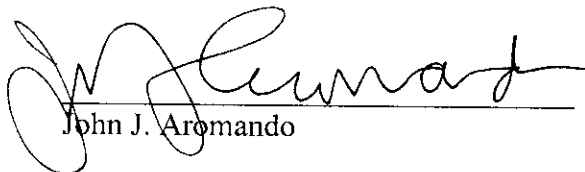
*Attorneys for Defendant  
Unum Life Insurance Company of America*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the enclosed pleading was served upon counsel for Plaintiff, via overnight mail, addressed as follows:

Michael J. Chernick, Esq.  
73 State Street, Suite 310  
Springfield, MA 01103

DATED: 2/26/04

  
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John J. Aromando